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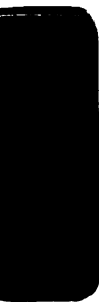
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NONC/RC Y4. In 2<sup>2</sup>:L

Congressional Indian  
Affairs Committee

✓ Indian affairs





NONC/RC X4. In 2<sup>2</sup>:

Legislative, Judicial  
Affairs Committee  
✓ Legislative affairs



forks of the Menomonie river, at a point to intersect the boundary line between the Menomonie and Chippewa nation of Indians: thence following the said boundary line last mentioned, in an eastwardly direction as defined and established by the treaty of the Little Bute des Mort, in 1827, to the Smooth rock or Shos-kin-aubie river: thence down the said river to where it empties into Green bay, between the Little and Great bay de Noquet: thence up and along the west side of Green bay, (and including all the islands therein, not heretofore ceded) to the mouth of Fox river: thence up and along the said Fox river, and along the west side of Winnebago lake (including the islands therein) to the mouth of Fox river, where it empties into said lake: thence up and along said Fox river to the place of beginning, (saving and reserving out of the district of country above ceded and described, all that part of the five hundred thousand acre tract, granted by the treaties between the Menomonies and the United States, made on the eighth day of February A. D. 1831, and on the twenty-seventh day of October A. D. 1832, which may be situated within the boundaries hereinbefore described,) the quantity of land contained in the tract hereby ceded, being estimated at about four millions of acres.

Further cession.

And the said Menomonie nation do further agree to cede and relinquish to the United States all that tract or district of country lying upon the Wisconsin river, in said territory; and included within the following boundaries; viz—Beginning at a point upon said Wisconsin river two miles above the grant or privilege heretofore granted by said nation and the United States, to Amable Grignon; thence running up and along said river forty-eight miles in a direct line: and being three miles in width on each side of said river; this tract to contain eight townships or one hundred and eighty-four thousand three hundred and twenty acres of land.

Consideration therefor.

ARTICLE SECOND. In consideration of the cession of the aforesaid tract of land, the United States agree to pay to the said Menomonie nation, at the lower end of Wah-ne-kun-nah lake in their own country, or at such other place as may be designated by the President of the United States the sum of twenty thousand dollars, per annum for the term of twenty years.

Provisions, etc., to be supplied.

The United States further agree to pay and deliver to the said Indians, each and every year during the said term of twenty years, the following articles—Three thousand dollars worth of provisions; two thousand pounds of tobacco; thirty barrels of salt; also the sum of five hundred dollars, per year, during the same term, for the purchase of farming utensils, cattle, or implements of husbandry, to be expended under the direction of the superintendent or agent. Also to appoint and pay two blacksmiths to be located at such places as may be designated by the said superintendent or agent, to erect (and supply with the necessary quantity of iron, steel, and tools) two blacksmith shops; during the same term.

Blacksmiths.

Debts to be paid.

The United States shall also pay the just debts of the said Menomonie Indians, agreeably to the schedule hereunto annexed, amounting to the sum of ninety-nine thousand seven hundred and ten dollars and fifty cents. Provided, always, That no portion of said debts shall be paid until the validity and justice of each of them, shall have been inquired into by the Commissioner of Indian Affairs, who shall in no instance increase the amount specified in said schedule, but who shall allow the sum specified, reject it entirely, or reduce it as upon examination and proof may appear just, and if any part of said sum is left after paying said debts so adjudged to be just, then such surplus shall be paid to the said Indians for their own use.

Provision for persons of mixed blood.

And whereas the said Indians are desirous of making some provision and allowance to their relatives and friends of mixed blood; the United States do further agree to pay the sum of eighty thousand dollars, to

For medical services and medicines, six hundred dollars (\$600.)

The foregoing sums to be expended for the objects specified, for the term of twenty-two years, and longer at the discretion of the President. If at the expiration of that period, or any time thereafter, he shall think it expedient to discontinue either or all of the above allowances, the amount so discontinued shall be paid to the said Winnebago nation. The residue of the interest, amounting to fifty thousand dollars (\$50,000,) shall be paid to said nation, in the following manner; Ten thousand dollars (\$10,000) in provisions, twenty thousand dollars (\$20,000) in goods, and twenty thousand dollars (\$20,000) in money.

So much of existing treaties as requires services, etc., to be null and void.

ARTICLE 5th. It is understood and agreed that so much of the stipulations in existing treaties with said Winnebago nation, as requires services to be performed, supplies furnished, or payments made, at designated times and places, shall be henceforth null and void; and those stipulations shall be carried into effect at such times and at such points in the country to which they are about to remove, as the President may direct.

Treaty binding when ratified.

ARTICLE 6th. This treaty to be binding on the contracting parties when it shall be ratified by the United States.

In witness whereof, the said Carey A. Harris and the undersigned chiefs and delegates of the said Winnebago nation, have hereunto set their hands at the City of Washington, this first day of November, A. D. 1837.

C. A. Harris.

Watch-hat-ty-kan, (Big Boat,)  
Keech-kee-pa-kah, (Kar-i-mo-nee,)  
Mo-ra-chay-kah, (Little Priest,)  
Ma-na-pay-kah, (Little Soldier,)  
Wa-kaun-ha-kah, (Snake Skin,)  
Ma-hee-koo-shay-nuz-he-kah, (Young Decori,)  
Wa-kun-cha-koo-kah, (Yellow Thunder,)  
Wa-kaun-kah, (The Snake,)  
Wa-kun-cha-nic-kah, (Little Thunder,)  
Nautch-kay-suck-kah, (Quick Heart,)

Mai-ta-sha-hay-ma-ne-kah, (Young Kar-i-mo-nee,)  
Wa-kaun-ho-no-nic-kah, (Little Snake,)  
Hoong-kah, (Old Chief,)  
To-shun-uc-kah, (Little Otter,)  
Sho-go-nic-kah, (Little Hill,)  
Homp-aka-kah, (Fine Day,)  
Chow-walk-saih-e-nic, (The Plover,)  
Ah-oo-shush-kah, (Red Wing,)  
Shoog-hat-ty-kah, (Big Gun,)  
Ha-kah-kah, (Little Boy Child.)

In presence of—

Thos. A. B. Boyd, U. S. S. Indian agent.  
N. Boilvin,  
Antoine Grinion,  
Jean Roy,  
Interpreters.  
Joseph Moore,  
J. Brisbois,  
Sat. Clark, jr.,  
Conductors.

Alexis Bailly.  
H. H. Sibley, agent Am. Fur. Co.  
John Lowe.  
John M'Farlane.  
W. Gunton.  
T. R. Cruttenden.  
Charles E. Mix.  
A. R. Potts.  
Rd. L. Mackall.

(To the Indian names are subjoined a mark.)

## TREATY WITH THE IOWA, 1837.

Nov. 23, 1837.

7 Stat., 547.  
Proclamation, Feb. 21, 1838.

*Articles of a treaty made at the city of Saint Louis, between Joshua Pilcher, thereto specially authorized by the President of the United States, and the Ioway Indians, by their chiefs and delegates.*

Cession to the United States.

ARTICLE 1st. THE Ioway Indians cede to the United States all the right and interest in the land ceded by the treaty, concluded with them and other tribes on the 15th of July 1830, which they might be entitled to claim, by virtue of the phraseology employed in the second article of said treaty.

Consideration therefor.

ARTICLE 2d. In consideration of the cession contained in the preceding article, the United States stipulate to pay them two thousand five hundred dollars (\$2,500) in horses, goods and presents, upon their signing this treaty in the city of Saint Louis.

## TREATY WITH THE CHOCTAW AND CHICKASAW, 1854.

Ke-che-e-nin-ne, headman, his x mark. [L. s.]	The Mississippi Bands:
Haw-daw-gaw-me, headman, his x mark. [L. s.]	Que-we-san-se, or Hole in the Day, head chief, his x mark. [L. s.]
Way-me-te-go-she, headman, his x mark. [L. s.]	Caw-nawn-daw-waw-win-zo, or the Berry Hunter, 1st chief, his x mark. [L. s.]
Pay-me-ge-wung, headman, his x mark. [L. s.]	Waw-bow-jieg, or the White Fisher, 2d chief, his x mark. [L. s.]
Lac Du Flambeau Band:	Ot-taw-waw, 2d chief, his x mark. [L. s.]
Aw-mo-se, or the Wasp, 1st chief, his x mark. [L. s.]	Que-we-zhan-cis, or the Bad Boy, 2d chief, his x mark. [L. s.]
Ke-nish-te-no, 2d chief, his x mark. [L. s.]	Bye-a-jick, or the Lone Man, 2d chief, his x mark. [L. s.]
Me-gee-see, or the Eagle, 2d chief, his x mark. [L. s.]	I-yaw-shaw-wav-ge-zhick, or the Crossing Sky, 2d chief, his x mark. [L. s.]
Kay-kay-co-gwaw-nay-aw-she, headman, his x mark. [L. s.]	Maw-caw-day, or the Bear's Heart, 2d chief, his x mark. [L. s.]
O-che-chog, headman, his x mark. [L. s.]	Ke-way-de-no-go-nay-be, or the Northern Feather, 2d chief, his x mark. [L. s.]
Nay-she-kay-gwaw-nay-be, headman, his x mark. [L. s.]	Me-squaw-dace, headman, his x mark. [L. s.]
O-saw-bay-wis, or the Waiter, 1st chief, his x mark. [L. s.]	Naw-gaw-ne-gaw-bo, headman, his x mark. [L. s.]
Que-we-zance, or the White Fish, 2d chief, his x mark. [L. s.]	Wawm-be-de-yea, headman, his x mark. [L. s.]
Ne-gig, or the Otter, 2d chief, his x mark. [L. s.]	Waish-key, headman, his x mark. [L. s.]
Nay-waw-che-ge-ghick-may-be, headman, his x mark. [L. s.]	Caw-way-caw-me-ge-ekung, headman, his x mark. [L. s.]
Quay-quay-ke-cah, headman, his x mark. [L. s.]	My-yaw-ge-way-we-dunk, or the One who carries the Voice, 2d chief, his x mark. [L. s.]
Bois Forte Band:	John F. Godfroy, } Interpreters.
Kay-baish-caw-daw-way, or Clear Round the Prairie, 1st chief, his x mark. [L. s.]	Geo. Johnston,
Way-zaw-we-ge-zhick-way-sking, headman, his x mark. [L. s.]	S. A. Marvin,
O-saw-we-pe-nay-she, headman, his x mark. [L. s.]	Louis Codot,
	Paul H. Beaulieu,
	Henry Blatchford,
	Peter Floy,

Executed in the presence of—

Henry M. Rice,  
J. W. Lynde,  
G. D. Williams,  
B. H. Connor,  
E. W. Muldough,  
Richard Godfroy,

D. S. Cash,  
H. H. McCullough,  
E. Smith Lee,  
Wm. E. Vantassel,  
L. H. Wheeler.

## TREATY WITH THE CHOCTAW AND CHICKASAW, 1854.

Nov. 4, 1854.  
10 Stat., 1116.  
Ratified Feb. 28,  
1855.  
Proclaimed Apr. 10,  
1855.

Preamble.

Whereas a convention and agreement was made and entered into by the Choctaw and Chickasaw Indians, at Doaksville, near Fort Towson, in the Choctaw country, on the seventeenth day of January, A. D. one thousand eight hundred and thirty-seven; and, whereas, difficulties have arisen between said tribes in regard to the line of boundary, between the Chickasaw district and other districts of the Choctaw nation, described in article second of said convention and agreement; and, whereas, it is the desire of the said tribes, that there shall no longer exist any dispute in regard to the boundary of the Chickasaw district, the undersigned, Thomas J. Pitchlynn, Edmund McKenny, R. M. Jones, Daniel Folsom, and Samuel Garland, commissioners duly appointed and empowered by the Choctaw tribe of red people; and Edmund Pickens, Benjamin S. Love, James T. Gaines, Sampson Folsom, and Edmund Perry, commissioners duly appointed and empowered by the Chickasaw tribe of Indians, to settle all matters in dispute between their respective tribes, which require new articles of agreement between them, have solemnly made the following articles of convention and agreement, on the fourth day of November, A. D. one



Payments by the  
United States.

ARTICLE 4. In consideration of the above cession, the United States agree to pay to the said confederated tribes and bands of Indians, in addition to the goods and provisions distributed to them at the time of signing this treaty, the sum of two hundred thousand dollars, in the following manner, that is to say: Sixty thousand dollars, to be expended under the direction of the President of the United States, the first year after the ratification of this treaty, in providing for their removal to the reservation, breaking up and fencing farms, building houses for them, supplying them with provisions and a suitable outfit, and for such other objects as he may deem necessary, and the remainder in annuities, as follows: For the first five years after the ratification of the treaty, ten thousand dollars each year, commencing September first, 1856; for the next five years, eight thousand dollars each year; for the next five years, six thousand dollars per year; and for the next five years, four thousand dollars per year.

How to be applied.

All which sums of money shall be applied to the use and benefit of said Indians, under the direction of the President of the United States, who may from time to time determine, at his discretion, upon what beneficial objects to expend the same for them. And the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of the Indians in relation thereto.

United States to es-  
tablish schools.

ARTICLE 5. The United States further agree to establish at suitable points within said reservation, within one year after the ratification hereof, two schools, erecting the necessary buildings, keeping them in repair, and providing them with furniture, books, and stationery, one of which shall be an agricultural and industrial school, to be located at the agency, and to be free to the children of the said confederated tribes and bands of Indians, and to employ one superintendent of teaching and two teachers; to build two blacksmiths' shops, to one of which shall be attached a tin-shop, and to the other a gunsmith's shop; one carpenter's shop, one wagon and plough maker's shop, and to keep the same in repair and furnished with the necessary tools; to employ one superintendent of farming and two farmers, two blacksmiths, one tinner, one gunsmith, one carpenter, one wagon and plough maker, for the instruction of the Indians in trades and to assist them in the same; to erect one saw-mill and one flouring-mill, keeping the same in repair and furnished with the necessary tools and fixtures; to erect a hospital, keeping the same in repair and provided with the necessary medicines and furniture, and to employ a physician; and to erect, keep in repair, and provided with the necessary furniture, the building required for the accommodation of the said employees. The said buildings and establishments to be maintained and kept in repair as aforesaid, and the employees to be kept in service for the period of twenty years.

Sawmill and flour-  
ing mill.  
Hospital.

Salary to head chief:  
house, etc.

And in view of the fact that the head chief of the said confederated tribes and bands of Indians is expected, and will be called upon to perform many services of a public character, occupying much of his time, the United States further agree to pay to the said confederated tribes and bands of Indians five hundred dollars per year, for the term of twenty years after the ratification hereof, as a salary for such person as the said confederated tribes and bands of Indians may select to be their head chief, to build for him at a suitable point on the reservation a comfortable house, and properly furnish the same, and to plough and fence ten acres of land. The said salary to be paid to, and the said house to be occupied by, such head chief so long as he may continue to hold that office.

Kamalakun is the  
head chief.

And it is distinctly understood and agreed that at the time of the conclusion of this treaty Kamalakun is the duly elected and authorized

head chief of the confederated tribes and bands aforesaid, styled the Yakama Nation, and is recognized as such by them and by the commissioners on the part of the United States holding this treaty; and all the expenditures and expenses contemplated in this article of this treaty shall be defrayed by the United States, and shall not be deducted from the annuities agreed to be paid to said confederated tribes and band of Indians. Nor shall the cost of transporting the goods for the annuity payments be a charge upon the annuities, but shall be defrayed by the United States.

ARTICLE 6. The President may, from time to time, at his discretion, cause the whole or such portions of such reservation as he may think proper, to be surveyed into lots, and assign the same to such individuals or families of the said confederated tribes and bands of Indians as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable.

Reservation may be surveyed into lots and assigned to individuals or families.

ARTICLE 7. The annuities of the aforesaid confederated tribes and bands of Indians shall not be taken to pay the debts of individuals.

Annuities not to pay for debts of individuals.

ARTICLE 8. The aforesaid confederated tribes and bands of Indians acknowledge their dependence upon the Government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations upon the property of such citizens.

Tribes to preserve friendly relations.

And should any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of the annuities.

To pay for depredations.

Nor will they make war upon any other tribe, except in self-defence, but will submit all matters of difference between them and other Indians to the Government of the United States or its agent for decision, and abide thereby. And if any of the said Indians commit depredations on any other Indians within the Territory of Washington or Oregon, the same rule shall prevail as that provided in this article in case of depredations against citizens. And the said confederated tribes and bands of Indians agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

Not to make war but in self-defense.

To surrender offenders.

ARTICLE 9. The said confederated tribes and bands of Indians desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same, and, therefore, it is provided that any Indian belonging to said confederated tribes and bands of Indians, who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her annuities withheld from him or her for such time as the President may determine.

Annuities may be withheld from those who drink ardent spirits.

ARTICLE 10. *And provided*, That there is also reserved and set apart from the lands ceded by this treaty, for the use and benefit of the aforesaid confederated tribes and bands, a tract of land not exceeding in quantity one township of six miles square, situated at the forks of the Pisuouse or Wenatshapam River, and known as the "Wenatshapam Fishery," which said reservation shall be surveyed and marked out whenever the President may direct, and be subject to the same provisions and restrictions as other Indian reservations.

Wenatshapam fishery reserved.

ARTICLE 11. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

When treaty to take effect.

In testimony whereof, the said Isaac I. Stevens, governor and superintendent of Indian affairs for the Territory of Washington, and the undersigned head chief, chiefs, headmen, and delegates of the afore-

## TREATY WITH THE WINNEBAGO, 1859.

Apr. 15, 1859.  
 12 Stats., 1101.  
 Ratified Mar. 16,  
 1861.  
 Proclaimed Mar. 23,  
 1861.

*Articles of agreement and convention made and concluded at Washington City on the fifteenth day of April, eighteen hundred and fifty-nine, by and between Charles E. Mix, commissioner on the part of the United States, and the following-named chiefs and delegates, representing the Winnebago tribes of Indians, viz: Baptiste Lassalleur, Little Hill, Little De-Corie, Prophet, Wakon, Conohutta-kau, Big Bear, Rogue, Young Frenchman, One Horn, Yellow Banks, and O-o-kau, they being thereto duly authorized by said tribe.*

Eastern portion of reservation to be set apart and assigned in severalty to members of tribe.

ARTICE 1. The Winnebago Indians having now more lands than are necessary for their occupancy and use, and being desirous of promoting settled habits of industry and enterprise amongst themselves by abolishing the tenure in common by which they now hold their lands, and by assigning limited quantities thereof, in severalty, to the members of the tribe, including their half or mixed blood relatives now residing with them, to be cultivated and improved for their own individual use and benefit, it is hereby agreed and stipulated that the eastern portion of their present reservation, embracing townships one hundred and six, (106) and one hundred and seven, (107,) range twenty-four (24) and one hundred and six (106) and one hundred and seven, (107,) range twenty-five (25) and the two strips of land immediately adjoining them on the east and north, shall be set apart and retained by them for said purposes; and that out of the same there shall be assigned to each head of a family not exceeding eighty acres, and to each male person eighteen years of age and upwards, without family, not exceeding forty acres of land, to include, in every case, as far as practicable, a reasonable proportion of timber; one hundred and sixty acres of said retained lands in a suitable locality shall also be set apart and appropriated to the occupancy and use of the agency for said Indians. The lands to be so assigned, including those for the use of the agency, shall be in as regular and compact a body as possible, and so as to admit of a distinct and well-defined exterior boundary, embracing the whole of them and any intermediate portions or parcels of land or water not included in or made part of the tracts assigned in severalty. Any such intermediate parcels of land and water shall be owned by the Winnebagoes in common; but in case of increase in the tribe, or other cause, rendering it necessary or expedient, the said intermediate parcels of land shall be subject to distribution and assignment, in severalty, in such manner as the Secretary of the Interior shall prescribe and direct. The whole of the lands assigned or unassigned in severalty, embraced within the said exterior boundary, shall constitute and be known as the Winnebago reservation, within and over which all laws passed or which may be passed by Congress regulating trade and intercourse with the Indian tribes shall have full force and effect. And no white person, except such as shall be in the employment of the United States, shall be allowed to reside or go upon any portion of said reservation, without the written permission of the superintendent of Indian affairs, or of the agent for the tribe. Said division and assignment of lands to the Winnebagoes in severalty shall be made under the direction of the Secretary of the Interior, and when approved by him shall be final and conclusive. Certificates shall be issued by the Commissioner of Indian Affairs for the tracts so assigned, specifying the names of the individuals to whom they have been assigned, respectively, and that they are for the exclusive use and benefit of themselves, their heirs, and descendants. And said tracts shall not be alienated in fee, leased, or otherwise disposed of, except to the United States, or to other members of the tribe, under such rules and regulations as may be prescribed by the Secretary of the

Assignments of land.

Whole to be known as the Winnebago Reservation.

Whites not to reside thereon.

Division, etc., to be under the direction of Secretary of Interior.

Certificates to issue.

Not to be assigned unless, etc.

## TREATY WITH THE SEMINOLE, 1866. ' .

Mar. 21, 1866.  
 14 Stats., 755.  
 Ratified, July 19,  
 1866.  
 Proclaimed, Aug. 16,  
 1866.

*Articles of a treaty made and concluded at Washington, D. C., March 21, A. D., 1866, between the United States Government, by its commissioners, D. N. Cooley, Commissioner of Indian Affairs, Elijah Sells, superintendent of Indian affairs, and Ely S. Parker, and the Seminole Indians, by their chiefs, John Chup-co, or Long John, Cho-cote-harjo, Fos-ha[r]-jo, John F. Brown.*

## Preamble.

Whereas existing treaties between the United States and the Seminole Nation are insufficient to meet their mutual necessities; and

Whereas the Seminole Nation made a treaty with the so-called Confederate States, August 1st, 1861, whereby they threw off their allegiance to the United States, and unsettled their treaty relations with the United States, and thereby incurred the liability of forfeiture of all lands and other property held by grant or gift of the United States; and whereas a treaty of peace and amity was entered into between the United States and the Seminole and other tribes at Fort Smith, September 13 [10,] 1865,<sup>a</sup> whereby the Seminoles revoked, cancelled, and repudiated the said treaty with the so-called Confederate States; and whereas the United States, through its commissioners, in said treaty of peace promised to enter into treaty with the Seminole Nation to arrange and settle all questions relating to and growing out of said treaty with the so-called Confederate States; and whereas the United States, in view of said treaty of the Seminole Nation with the enemies of the Government of the United States, and the consequent liabilities of said Seminole Nation, and in view of its urgent necessities for more lands in the Indian Territory, requires a cession by said Seminole Nation of part of its present reservation, and is willing to pay therefor a reasonable price, while at the same time providing new and adequate lands for them:

Now, therefore, the United States, by its commissioners aforesaid, and the above-named delegates of the Seminole Nation, the day and year above written, mutually stipulate and agree, on behalf of the respective parties, as follows, to wit:

ARTICLE 1. There shall be perpetual peace between the United States and the Seminole Nation, and the Seminoles agree to be and remain firm allies of the United States, and always faithfully aid the Government thereof to suppress insurrection and put down its enemies.

## Peace and friendship.

The Seminoles also agree to remain at peace with all other Indian tribes and with themselves. In return for these pledges of peace and friendship, the United States guarantee them quiet possession of their country, and protection against hostilities on the part of other tribes; and, in the event of such hostilities, that the tribe commencing and prosecuting the same shall make just reparation therefor. Therefore the Seminoles agree to a military occupation of their country at the option and expense of the United States.

## Military occupation and protection by the United States.

A general amnesty of all past offences against the laws of the United States, committed by any member of the Seminole Nation, is hereby declared; and the Seminoles, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offenses against their government, and no Indian or Indians shall be proscribed or any act of forfeiture or confiscation passed against those who have remained friendly to or taken up arms against the United States, but they shall enjoy equal privileges with other members of said tribe, and all laws heretofore passed inconsistent herewith are hereby declared inoperative.

## Amnesty.

<sup>a</sup> A copy of this agreement, which has never been ratified, is found in an Appendix to the Report of the Commissioner of Indian Affairs for 1865, with the report of the negotiating commissioners, which copy has been reproduced in the Appendix to this compilation, *post*, p. 1050.

ARTICLE 2. The Seminole Nation covenant that henceforth in said nation slavery shall not exist, nor involuntary servitude, except for and in punishment of crime, whereof the offending party shall first have been duly convicted in accordance with law, applicable to all the members of said nation. And inasmuch as there are among the Seminoles many persons of African descent and blood, who have no interest or property in the soil, and no recognized civil rights, it is stipulated that hereafter these persons and their descendants, and such other of the same race as shall be permitted by said nation to settle there, shall have and enjoy all the rights of native citizens, and the laws of said nation shall be equally binding upon all persons of whatever race or color, who may be adopted as citizens or members of said tribe.

Slavery not to exist among the Seminoles.

Rights of those of African descent.

ARTICLE 3. In compliance with the desire of the United States to locate other Indians and freedmen thereon, the Seminoles cede and convey to the United States their entire domain, being the tract of land ceded to the Seminole Indians by the Creek Nation under the provisions of article first, (1st,) treaty of the United States with the Creeks and Seminoles, made and concluded at Washington, D. C., August 7, 1856. In consideration of said grant and cession of their lands, estimated at two million one hundred and sixty-nine thousand and eighty (2,169,080) acres, the United States agree to pay said Seminole Nation the sum of three hundred and twenty-five thousand three hundred and sixty-two (\$325,362) dollars, said purchase being at the rate of fifteen cents per acre. The United States having obtained by grant of the Creek Nation the westerly half of their lands, hereby grant to the Seminole Nation the portion thereof hereafter described, which shall constitute the national domain of the Seminole Indians. Said lands so granted by the United States to the Seminole Nation are bounded and described as follows, to wit: Beginning on the Canadian River where the line dividing the Creek lands according to the terms of their sale to the United States by their treaty of February 6, 1866,<sup>a</sup> following said line due north to where said line crosses the north fork of the Canadian River; thence up said north fork of the Canadian River a distance sufficient to make two hundred thousand acres by running due south to the Canadian River; thence down said Canadian River to the place of beginning. In consideration of said cession of two hundred thousand acres of land described above, the Seminole Nation agrees to pay therefor the price of fifty cents per acre, amounting to the sum of one hundred thousand dollars, which amount shall be deducted from the sum paid by the United States for Seminole lands under the stipulations above written. The balance due the Seminole Nation after making said deduction, amounting to one hundred thousand dollars, the United States agree to pay in the following manner, to wit: Thirty thousand dollars shall be paid to enable the Seminoles to occupy, restore, and improve their farms, and to make their nation independent and self-sustaining, and shall be distributed for that purpose under the direction of the Secretary of the Interior; twenty thousand dollars shall be paid in like manner for the purpose of purchasing agricultural implements, seeds, cows, and other stock; fifteen thousand dollars shall be paid for the erection of a mill suitable to accommodate said nation of Indians; seventy thousand dollars to remain in the United States Treasury, upon which the United States shall pay an annual interest of five per cent.; fifty thousand of said sum of seventy thousand dollars shall be a permanent school-fund, the interest of which shall be paid annually and appropriated to the support of schools; the remainder of the seventy thousand dollars, being twenty thousand dollars, shall remain a permanent fund, the

Cession of lands to the United States.

Payments by the United States.

Grants to Seminoles.

Boundaries.

Payment therefor.

Balance due the Seminoles.

How to be paid.

<sup>a</sup> This refers to the Creek treaty of June 14, 1866, post, p. 931. See Annual Report of Commissioner of Indian Affairs, 1866, p. 10.

interest of which shall be paid annually for the support of the Seminole government; forty thousand three hundred and sixty-two dollars shall be appropriated and expended for subsisting said Indians, discriminating in favor of the destitute; all of which amounts, excepting the seventy thousand dollars, to remain in the Treasury as a permanent fund, shall be paid upon the ratification of said treaty, and disbursed in such manner as the Secretary of the Interior may direct. The balance, fifty thousand dollars, or so much thereof as may be necessary to pay the losses ascertained and awarded as hereinafter provided, shall be paid when said awards shall have been duly made and approved by the Secretary of the Interior. And in case said fifty thousand dollars shall be insufficient to pay all said awards, it shall be distributed *pro rata* to those whose claims are so allowed; and until said awards shall be thus paid, the United States agree to pay to said Indians, in such manner and for such purposes as the Secretary of the Interior may direct, interest at the rate of five per cent. per annum from the date of the ratification of this treaty.

Board of commissioners to determine losses sustained by loyal Seminoles.

Census of those loyal.

No compensation except to loyal Indians.

Awards of commissioners.

Pay.

What claims for losses included.

Right of way for railroads granted through the lands of the Seminoles.

Lands will be sold.

ARTICLE 4. To reimburse such members of the Seminole Nation as shall be duly adjudged to have remained loyal and faithful to their treaty relations to the United States, during the recent rebellion of the so-called Confederate States for the losses actually sustained by them thereby, after the ratification of this treaty, or so soon thereafter as the Secretary of the Interior shall direct, he shall appoint a board of commissioners, not to exceed three in number, who shall proceed to the Seminole country and investigate and determine said losses. Previous to said investigation the agent of the Seminole Nation shall prepare a census or enumeration of said tribe, and make a roll of all Seminoles who did in no manner aid or abet the enemies of the Government, but remained loyal during said rebellion; and no award shall be made by said commissioners for such losses unless the name of the claimant appear on said roll, and no compensation shall be allowed any person for such losses whose name does not appear on said roll, unless said claimant, within six months from the date of the completion of said roll, furnishes proof satisfactory to said board, or to the Commissioner of Indian Affairs, that he has at all times remained loyal to the United States, according to his treaty obligations. All evidence touching said claims shall be taken by said commissioners, or any of them, under oath, and their awards made, together with the evidence, shall be transmitted to the Commissioner of Indian Affairs, for his approval, and that of the Secretary of the Interior. Said commissioners shall be paid by the United States such compensation as the Secretary of the Interior may direct. The provisions of this article shall extend to and embrace the claims for losses sustained by loyal members of said tribe, irrespective of race or color, whether at the time of said losses the claimants shall have been in servitude or not; provided said claimants are made members of said tribe by the stipulations of this treaty.

ARTICLE 5. The Seminole Nation hereby grant a right of way through their lands to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point on their eastern to their western or southern boundary; but said railroad company, together with all its agents and employes, shall be subject to the laws of the United States relating to the intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose. And the Seminoles agree to sell to the United States, or any company duly authorized as aforesaid, such lands, not legally owned or occupied by a member or members of the Seminole Nation lying along the line of said contemplated railroad, not exceeding on each side thereof a belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Seminole Nation and the

party or parties building said road—subject to the approval of the President of the United States: *Provided, however,* That said land thus sold shall not be reconveyed, leased, or rented to, or be occupied by, any one not a citizen of the Seminole Nation, according to its laws and recognized usages: *Provided also,* That officers, servants, and employes of said railroad necessary to its construction and management shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian-intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior; nor shall any conveyance of said lands be made to the party building and managing said road, until its completion as a first-class railroad and its acceptance as such by the Secretary of the Interior.

Proviso.

ARTICLE 6. Inasmuch as there are no agency buildings upon the new Seminole reservation, it is therefore further agreed that the United States shall cause to be constructed, at an expense not exceeding ten thousand (10,000) dollars, suitable agency buildings, the site whereof shall be selected by the agent of said tribe, under the direction of the superintendent of Indian affairs; in consideration whereof, the Seminole Nation hereby relinquish and cede forever to the United States one section of their lands upon which said agency buildings shall be *directed*, [erected,] which land shall revert to said nation when no longer used by the United States, upon said nation paying a fair value for said buildings at the time vacated.

Agency buildings.

ARTICLE 7. The Seminole Nation agrees to such legislation as Congress and the President may deem necessary for the better administration of the rights of person and property within the Indian Territory: *Provided, however,* [That] said legislation shall not in any manner interfere with or annul their present tribal organization, rights, laws, privileges, and customs.

Seminole agree to certain legislation.

Proviso.

The Seminole Nation also agree that a general council, consisting of delegates elected by each nation, a tribe lawfully resident within the Indian Territory, may be annually convened in said Territory, which council shall be organized in such manner and possess such powers as are hereinafter described:

General council.

1st. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census or enumeration of each tribe lawfully resident in said Territory shall be taken, under the direction of the superintendent of Indian affairs, who, for that purpose, is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

Census.

2d. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said Territory, and shall be elected by said tribes, respectively, who may assent to the establishment of said general council; and if none should be thus formally selected by any nation or tribe, the said nation or tribe shall be represented in said general council by the chiefs and head-men of said tribes, to be taken in the order of their rank, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article; and the persons so entitled to represent said tribe shall meet at such time and place as he shall appoint; but thereafter the time and place of the sessions of said council shall be determined by its action: *Provided,* That no session in any one year shall exceed the term of thirty days, *And provided* That special sessions of said council may be called by

First council, how composed.

Time and place of meeting.

Session not to exceed thirty days. Special sessions.

interest of which shall be paid annually for the support of the Seminole government; forty thousand three hundred and sixty-two dollars shall be appropriated and expended for subsisting said Indians, discriminating in favor of the destitute; all of which amounts, excepting the seventy thousand dollars, to remain in the Treasury as a permanent fund, shall be paid upon the ratification of said treaty, and disbursed in such manner as the Secretary of the Interior may direct. The balance, fifty thousand dollars, or so much thereof as may be necessary to pay the losses ascertained and awarded as hereinafter provided, shall be paid when said awards shall have been duly made and approved by the Secretary of the Interior. And in case said fifty thousand dollars shall be insufficient to pay all said awards, it shall be distributed *pro rata* to those whose claims are so allowed; and until said awards shall be thus paid, the United States agree to pay to said Indians, in such manner and for such purposes as the Secretary of the Interior may direct, interest at the rate of five per cent. per annum from the date of the ratification of this treaty.

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party or parties building said road—subject to the approval of the President of the United States: *Provided, however,* That said land thus sold shall not be reconveyed, leased, or rented to, or be occupied by, any one not a citizen of the Seminole Nation, according to its laws and recognized usages: *Provided also,* That officers, servants, and employes of said railroad necessary to its construction and management shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian-intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior; nor shall any conveyance of said lands be made to the party building and managing said road, until its completion as a first-class railroad and its acceptance as such by the Secretary of the Interior.

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Agency buildings.

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First council, how composed.

Time and place of meeting.

Session not to exceed thirty days.  
Special sessions.

## TREATY WITH THE CROWS, 1868.

May 7, 1868.

15 Stats., 649.  
Ratified, July 25,  
1868.  
Proclaimed, Aug.  
12, 1868.

*Articles of a treaty made and concluded at Fort Laramie, Dakota Territory, on the seventh day of May, in the year of our Lord one thousand eight hundred and sixty-eight, by and between the undersigned commissioners on the part of the United States, and the undersigned chiefs and head-men of and representing the Crow Indians, they being duly authorized to act in the premises.*

Peace and friendship.

Offenders among the whites to be arrested and punished.

Among the Indians, to be given up to the United States or, etc.

Rules for ascertaining damages.

Reservation boundaries.

Who not to reside thereon.

Buildings to be erected by the United States.

ARTICLE 1. From this day forward peace between the parties to this treaty shall forever continue. The Government of the United States desires peace, and its honor is hereby pledged to keep it. The Indians desire peace, and they hereby pledge their honor to maintain it. If bad men among the whites or among other people, subject to the authority of the United States, shall commit any wrong upon the person or property of the Indians, the United States will, upon proof made to the agent and forwarded to the Commissioner of Indian Affairs at Washington City, proceed at once to cause the offender to be arrested and punished according to the laws of the United States, and also re-imburse the injured person for the loss sustained.

If bad men among the Indians shall commit a wrong or depredation upon the person or property of any one, white, black, or Indian, subject to the authority of the United States and at peace therewith, the Indians herein named solemnly agree that they will, on proof made to their agent and notice by him, deliver up the wrong-doer to the United States, to be tried and punished according to its laws; and in case they refuse willfully so to do the person injured shall be re-imbursed for his loss from the annuities or other moneys due or to become due to them under this or other treaties made with the United States. And the President, on advising with the Commissioner of Indian Affairs, shall prescribe such rules and regulations for ascertaining damages under the provisions of this article as in his judgment may be proper. But no such damages shall be adjusted and paid until thoroughly examined and passed upon by the Commissioner of Indian Affairs, and no one sustaining loss while violating, or because of his violating, the provisions of this treaty or the laws of the United States shall be re-imbursed therefor.

ARTICLE 2. The United States agrees that the following district of country, to wit: commencing where the 107th degree of longitude west of Greenwich crosses the south boundary of Montana Territory; thence north along said 107th meridian to the mid-channel of the Yellowstone River; thence up said mid-channel of the Yellowstone to the point where it crosses the said southern boundary of Montana, being the 45th degree of north latitude; and thence east along said parallel of latitude to the place of beginning, shall be, and the same is, set apart for the absolute and undisturbed use and occupation of the Indians herein named, and for such other friendly tribes or individual Indians as from to time they may be willing, with the consent of the United States, to admit amongst them; and the United States now solemnly agrees that no persons, except those herein designated and authorized so to do, and except such officers, agents, and employes of the Government as may be authorized to enter upon Indian reservations in discharge of duties enjoined by law, shall ever be permitted to pass over, settle upon, or reside in the territory described in this article for the use of said Indians, and henceforth they will, and do hereby, relinquish all title, claims, or rights in and to any portion of the territory of the United States, except such as is embraced within the limits aforesaid.

ARTICLE 3. The United States agrees, at its own proper expense, to construct on the south side of the Yellowstone, near Otter Creek, a

